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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

RITE AID CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 23-18993 (MBK)

(Joint Administration Requested)

**DECLARATION OF ELISE S. FREJKA
IN SUPPORT OF DEBTORS' MOTIONS FOR
ENTRY OF ORDERS (I) APPROVING BIDDING PROCEDURES
AND RELATED RELIEF AND (II) AUTHORIZING AND APPROVING THE
CONDUCT OF STORE CLOSING SALES, WITH SUCH SALES TO BE FREE AND
CLEAR OF ALL LIENS, CLAIMS, AND ENCUMBRANCES AND RELATED RELIEF**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows under penalty of perjury:

¹ The last four digits of Debtor Rite Aid Corporation's tax identification number are 4034. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/RiteAid>. The location of Debtor Rite Aid Corporation's principal place of business and the Debtors' service address in these chapter 11 cases is 1200 Intrepid Avenue, 2nd Floor, Philadelphia, Pennsylvania 19112.

1. I am a licensed attorney, member at the law firm Frejka PLLC, and special counsel to the above-captioned debtors and debtors in possession (collectively, the “Debtors” or the “Company”). I have been practicing law since 1990, after graduating, *cum laude*, from New York Law School where I was awarded the James P. Kibbey Award for Excellence in Commercial Law. My practice is almost exclusively in the area of bankruptcy and bankruptcy litigation. I am admitted to practice before the courts of the State of New York, the Supreme Court of the United States, the Second and Federal Circuit Courts of Appeal, and the Southern, Eastern, and Northern Districts of New York.

2. Following my judicial clerkship for the Honorable Prudence Carter Beatty, United States Bankruptcy Judge, Southern District of New York (Retired), I spent the next two decades working in the bankruptcy and restructuring departments of major law firms including Kramer Levin Naftalis & Frankel LLP (Special Counsel, 2009–2015), Dechert LLP, as successor to Swidler Berlin Shereff Friedman LLP (Associate, 1999–2009), Togut Segal & Segal LLP (Associate, 1998 – 1999), and Curtis Mallet-Prevost, Colt & Mosle LLP (Associate, 1994–1998). In March 2015, I founded Frejka PLLC.

3. I am a Certified Information Privacy Professional (CIPP/US) credentialed by the International Association of Privacy Professionals and have extensive experience with information privacy in bankruptcy proceedings. I was appointed the consumer privacy ombudsman by the United States Trustee Program in *In re Endo International plc*, No. 22-22549 (JLG) (Bankr. S.D.N.Y. Aug. 16, 2022); *In re Fred’s Inc.*, No. 19-11984 (CSS) (Bankr. D. Del. Sept. 9, 2019); *In re uBiome, Inc.*, No. 19-11938 (LSS) (Bankr. D. Del. Sept 4, 2019); *In re Insys Therapeutics, Inc.*, No. 19-11292 (JTD) (Bankr. D. Del. June 10, 2019); *In re Ditech Holding Corporation*, No. 19-10412 (JLG) (Bankr. S.D.N.Y. Feb. 11, 2019); *In re Sears Holdings Corporation*,

No. 18-23538 (RDD) (Bankr. S.D.N.Y. Oct. 15, 2018); *In re Hooper Holmes, Inc.*, No. 18-23302 (RDD) (Bankr. S.D.N.Y. Aug. 27, 2018); *In re Wall Street Languages Ltd.*, No. 18-11581 (SHL) (Bankr. S.D.N.Y. May 24, 2018); *In re Avaago, Inc.*, No. 17-12926 (MKV) (Bankr. S.D.N.Y. Oct. 19, 2017); *In re Toys “R” Us, Inc.*, No. 17-34665 (KLP) (Bankr. E.D. Va. Sept. 18, 2017); *In re Bristlecone, Inc.*, No. 17-50472 (BTB) (Bankr. D. Nev. Apr. 18, 2017); *In re Marbles Holdings LLC*, No. 17-03309 (TAB) (Bankr. N.D. Ill. Feb. 3, 2017); *In re The Wet Seal, LLC*, No. 17-10229 (CSS) (Bankr. D. Del. Feb. 2, 2017); *In re VoicePulse, Inc.*, No. 16-25075 (MBK) (Bankr. D.N.J. Aug. 5, 2016); *In re SFX Entm’t, Inc.*, No. 16-10238 (MFW) (Bankr. D. Del. Feb. 1, 2016); *In re The Great Atlantic & Pacific Tea Co., Inc.*, No. 15-23007 (RDD) (Bankr. S.D.N.Y. July 19, 2015); and *In re RadioShack Corp.*, No. 15-10197 (BLS) (Bankr. D. Del. Feb. 5, 2015). I was special counsel to the debtors and filed a declaration in support of the sale process in *In re PGX Holdings, Inc.*, No. 23-10718 (CTG) (Bankr. D. Del. June 4, 2023); *In re Bed Bath & Beyond, Inc.*, No. 23-13359 (VFP) (Bankr. D.N.J. Apr. 23, 2023) [Docket No. 29], *In re Le Tote, Inc.*, No. 20-33332 (KLP) (Bankr. E.D. Va. Feb. 17, 2020) [Docket No. 27], *In re Destination Maternity Corp.*, No. 19-12256 (BLS) (Bankr. D. Del. Oct. 25, 2019) [Docket No. 107] and *In re Pier 1 Imports, Inc.*, No. 20-30805 (KRH) (Bankr. E.D. Va. Feb. 17, 2020) [Docket No. 36]. In addition, while at Kramer Levin Naftalis & Frankel LLP, I represented the purchaser of the ecommerce business and customer data in *In re Circuit City Stores, Inc.*, No. 08-35653 (KRH) (Bankr. E.D. Va. Nov. 11, 2008) and actively participated in the consumer privacy ombudsman process.

4. I am a member of numerous professional associations, including the International Association of Privacy Professionals, American Bankruptcy Institute, International Women’s Insolvency & Restructuring Confederation, Turnaround Management Association, and the National Association of Legal Fee Analysis. In addition, I have served as a presenter or panelist

on consumer privacy issues at numerous conferences and seminars. Finally, for the past seven years I have been a guest lecturer at New York University School of Continuing and Professional Studies for the Bankruptcy, Workout and Reorganizations class where I frequently lecture on the intersection of privacy and bankruptcy.

5. I submit this declaration in support of the (A) *Debtors' Motion for Entry of an Order (I) Approving Bidding Procedures and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Approving the Elixir Stalking Horse APA, (V) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (VI) Authorizing the Assumption and Assignment of Assumed Contracts, (VII) Authorizing the Sale of Assets, and (VIII) Granting Related Relief*, and (B) *Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing and Approving the Conduct of Store Closing Sales, With Such Sales to Be Free and Clear of All Liens, Claims, and Encumbrances, and (II) Granting Related Relief* (the "Motions").² Except as otherwise noted herein, the facts set forth in this Declaration are based upon my personal knowledge and independent investigation, store visits, review of relevant Company policies, website caches of the Debtors' ecommerce site available on the "waybackmachine" at www.archive.org, other information prepared by me or collected for me, and my conversations with the Debtors' counsel or other advisors.

6. If I were called to testify as a witness, I could and would competently testify to each of the facts set forth herein. I am over the age of eighteen and authorized to submit this declaration on behalf of the Debtors.

² Capitalized terms used but not defined herein have the meanings given to such terms in the Motions, as applicable.

The Debtors' Privacy Policies and Data Processing

7. As described in the *Declaration of Jeffrey S. Stein in Support of Debtors' Chapter 11 Petitions and First Day Motions* (the "First Day Declaration"), filed contemporaneously herewith, the Debtors, together with their non-Debtor affiliates (collectively, "Rite Aid" or the "Company"), meet the fundamental consumer need for pharmacy services across the country through two divisions. On the retail side, Rite Aid employs more than 6,300 pharmacists and operates more than 2,200 retail pharmacy locations in 17 states. Through Elixir, the Company manages pharmacy benefits for more than one million members.

8. The Company's business requires that the Company collect personally identifiable information³ ("Personally Identifiable Information") and protected health information ("Protected Health Information") to provide products and services to consumers.

9. I personally tested the Company's data processing practices by (a) creating an account⁴ at <http://riteaid.com>; (b) enrolling in the Rite Aid Rewards loyalty program⁵ ("Rite Aid Rewards") at the Kingston, New York store (Store #10700); (c) signing up to receive electronic and SMS text message⁶ from Rite Aid; (d) visiting the Rite Aid stores⁷ located at (i) 238 Hooker

³ Section 101(41A) of the Bankruptcy Code defines "personally identifiable information" as an individual's name, residence address, email address, telephone number, social security number, or credit card number, as well as an individual's birth date or other information that, if associated with the information described previously, would permit the identification or contacting of the individual. 11 U.S.C. § 101(41A). 11 U.S.C. § 101(41A).

⁴ The creation of this account required me to affirmatively consent to receive marketing materials using two-factor authentication for an additional layer of security.

⁵ The loyalty program allows consumers to enroll and earn points for each dollar spent on front of store purchases as well as for eligible pharmacy prescriptions with points converted into "Rite Aid Rewards" coupons that can be tendered as payment for a future purchase.

⁶ Affirmative consent to receive pharmacy messages was required and the mechanics to opt-out are set forth in the Text (SMS and MMS) Messaging Programs Terms and Conditions or by replying "STOP" to any pharmacy text message.

⁷ The privacy policies were displayed at each of the stores I visited and specific questions about how my personal information would be used were answered at the Kingston, New York and Lake Oswego, Oregon stores.

Avenue, Poughkeepsie, New York 12603 (Store #01617), (ii) 90 B Avenue, Lake Oswego, Oregon 97034 (Store #05329); (iii) 485 Broadway, Kingston, New York 12401 (Store #10700); (iv) 20 Grand Central Terminal, New York, New York 10017 (Store #04964); (v) 113/115 Mill Plain Road, Danbury, Connecticut 06811 (Store #10384); and (vi) 219 Essex Street, Hackensack, New Jersey 0761 (Store #02463); (e) revoking my consent to receive marketing materials from Rite Aid to confirm how the Company processes opt-out requests; (f) downloading and interacting with the Rite Aid mobile application; and (g) meticulously securitizing and interacting with <http://www.riteaid.com> to understand how the Company's privacy policies are incorporated into the Company's data collection and use from the consumer perspective. I was not able to interact with Elixir to the same extent as my health insurance provider does not contract with Elixir.

10. The Company maintains two consumer facing websites: www.riteaid.com and www.elixirsolutions.com. Both websites have a prominent link to the relevant privacy policy (the "Rite Aid Privacy Policy" or the "Elixir Privacy Policy" depending on the context), applicable to Personally Identifiable Information, and a Notice of Privacy Practices (the "Rite Aid Patient Privacy Policy" or the "Elixir Patient Privacy Policy" depending on the context) applicable to Protected Health Information, on the landing page and on each successive page visited by a consumer. These privacy policies explain what information the Company collects, why the Company collects the information, the permitted uses for that information, and how the consumer can update, manage, export, or delete his/her personal information.

11. The Rite Aid Privacy Policy in effect on the Petition Date, and effective as of March 29, 2023, provides, in relevant part:

3. How We May Share Information

We may share information about you with the following categories of third parties, where consistent with this Policy and applicable laws:

- Our legal affiliates and agents in connection with our business operations;
- Our service providers (e.g., IT services, maintenance and hosting of our Sites, payment processors, marketing and analytics, customer communications, order fulfillment and shipping), but we only provide information to these providers to perform their required functions on our behalf; and
- Third-party brand manufacturers with whom we may partner to develop discount or coupon programs, and likewise with third parties who provide services that we offer through our Sites.

We also may disclose information about you in certain unusual circumstances, including (1) if we are required to do so by law or legal process; (2) in response to requests by government agencies, such as law enforcement authorities; (3) to establish, exercise, or defend our legal rights; (4) when we believe disclosure is necessary or appropriate to prevent physical or other harm or financial loss; (5) in connection with an investigation of suspected or actual fraud or other illegal activity; or (6) **in the event we sell or transfer (or contemplate the sale or transfer of) all or a relevant portion of our business or assets (including in the event of a merger, acquisition, joint venture, reorganization, divestiture, dissolution, or liquidation).**

(emphasis added). See RITE AID CORPORATION, <https://www.riteaid.com/legal/privacy-policy>,

(last visited Oct. 6, 2023). A copy of the Rite Aid Privacy Policy is attached hereto as **Exhibit A**.

A sale or transfer of Personally Identifiable Information to an unaffiliated third party is expressly permitted under the Rite Aid Privacy Policy in effect on the Petition Date.

12. The Rite Aid Patient Privacy Policy in effect on the Petition Date, and effective as of September 2, 2022, provides, in relevant part:

We will use your protected health information to carry out health care operations. These uses and disclosures are necessary to run the pharmacy and to make sure that all of our patients receive quality care. For example, we may use your protected health information to monitor the quality of pharmacist performance and to train pharmacy personnel. **Your protected health information may also be transferred for the purposes of carrying out pharmacy services if we buy or sell pharmacy locations.**

(emphasis added) *See* RITE AID CORPORATION, <https://www.riteaid.com/legal/patient-privacy-policy> (last visited Oct. 5, 2023). A copy of the Rite Aid Patient Privacy Policy is attached hereto as **Exhibit B**. A sale or transfer of Protected Health Information to an unaffiliated third party is expressly permitted, subject to certain limitations discussed herein, under the Rite Aid Patient Privacy Policy in effect on the Petition Date.

13. The Elixir Privacy Policy, applicable to Elixir RX Solutions, LLC and its affiliates, in effect on the Petition Date, and effective as of June 13, 2022, provides, in relevant part:

6.3 Acquisitions

All Personal Information, PHI, and Non-Personal Information obtained through our Website are owned by us. Accordingly, if another company acquires our company or our assets, that company will thereafter possess the Personal Information, PHI, and Non-Personal Information collected by us, and will assume the rights and obligations regarding your Personal Information, PHI, and Non-Personal Information as described in this Privacy Policy.

See ELIXIR RX SOLUTIONS LLC, <https://www.elixirsolutions.com/privacy-policy> (last visited Oct. 6, 2023). A copy of the Elixir Privacy Policy is attached hereto as **Exhibit C**. A sale or transfer of Personally Identifiable Information to an unaffiliated third party is expressly permitted under the Elixir Privacy Policy in effect on the Petition Date.

14. The Elixir Pharmacy LLC (“**Elixir Pharmacy**”) Patient Privacy Policy in effect on the Petition Date and effective as of July 31, 2020, provides, in relevant part:

We use your PHI to carry out healthcare operations. These uses and disclosures are necessary to run the pharmacy and to make sure that all of our patients receive quality care. For example, we may use information in your health record to monitor the quality of pharmacist performance and to train pharmacy personnel. **Your PHI may be transferred for the purposes of carrying out pharmacy services if we buy or sell pharmacy locations.**

(emphasis added) *See* ELIXIR RX SOLUTIONS, LLC, <https://www.elixirsolutions.com/privacy-notice> (last visited Oct. 6, 2023).⁸ A copy of the Elixir Patient Privacy Policy is attached hereto as **Exhibit D**. A sale or transfer of Protected Health Information to an unaffiliated third party is expressly permitted, subject to certain limitations discussed herein, under the Elixir Patient Privacy Policy in effect on the Petition Date.

Transfer of Personally Identifiable Information

15. Rite Aid adopted the now common practice of permitting the transfer of Personally Identifiable Information to an unaffiliated third-party as part of a larger business transaction with the February 23, 2015 revision to the privacy policy. *See* RITE AID CORPORATION, <https://web.archive.org/web/20170928135806/https://www.riteaid.com/legal/privacy-policy> (last visited Oct. 4, 2023) (“We reserve the right to transfer any information we have about you in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, dissolution or liquidation).”), attached hereto as **Exhibit E**. Prior to February 23, 2015, Rite Aid’s privacy policy did not contain such a provision. *See* RITE AID CORPORATION, <https://web.archive.org/web/20140416060050/https://www.riteaid.com/legal/privacy-policy> (last visited Oct. 4, 2023), attached hereto as **Exhibit F**. Thus, any consumer who voluntarily provided Rite Aid with Personally Identifiable Information has affirmatively consented, or opted-in,⁹ to the collection and use of Personally Identifiable Information, the transfer of such Personally Identifiable Information as part of a business transaction, and to look to the Rite Aid website to determine whether there has been a change to the Rite Aid Privacy Policy or Rite Aid’s use and

⁸ Notwithstanding the ability to transfer Protected Health Information as part of a business transaction, a consumer’s written authorization is required before using or disclosing Protected Health Information for marketing purposes.

⁹ “Opt-in” consent requires affirmative steps by a consumer to allow the collection and/or use of information; “Opt-out” consent requires affirmative steps to prevent the collection and/or use of information.

disclosure of Personally Identifiable Information. As such, if a consumer originally provided Rite Aid with Personally Identifiable Information in 2014, for example, and continued to access the Rite Aid website and engage in transactions with Rite Aid in 2023, such consumer has been deemed to consent to the current privacy policy which permits the sale of Personally Identifiable Information as part of a corporate transaction. Rite Aid has consistently informed consumer that “the use of information that you provide us now is subject to the privacy policy in effect at the time of use” effectively overriding any prior limitation on the transfer of Personally Identifiable Information. *See* RITE AID CORPORATION, <https://web.archive.org/web/20130304030804/http://www5.riteaid.com/privacy-policy> (last visited Oct. 4, 2023), attached hereto as **Exhibit G**.

16. Based upon my investigation of the facts and circumstances surrounding Rite Aid’s collection and processing of Personally Identifiable Information, consumers affirmatively consented to the transfer of their Personally Identifiable Information as part of a sale when they (a) subscribed to receive marketing communications from Rite Aid, (b) registered for Rite Aid Rewards, (c) created an account through the Rite Aid website or mobile app, or (d) otherwise continued to interface with Rite Aid.

* * * * *

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.


Executed this 16th day of October, 2023.

/s/ Elise S. Frejka
Elise S. Frejka, CIPP/US

Exhibit A

Rite Aid Privacy Policy Effective as of March 29, 2023



 Your Store: [Select a store](#)

Privacy Policy

Last Updated Date: 3/29/2023

Rite Aid respects your concerns about privacy. This Privacy Policy (“Policy”) describes the personal information we may obtain about you, including when you visit our retail stores, use the Rite Aid website, the Rite Aid Online Store, the Rite Aid Pharmacy mobile app, our Text Messaging Program, and other related online and offline services and communications with us (collectively, the “Sites”). We also describe how we may use and disclose that information, and explain the choices available to you regarding our use of the information, the measures we take to protect the security of the information, and how you can [contact us](#) if you have any questions about our privacy practices.

Please note that the personal information we may obtain in some circumstances can include “protected health information” (“PHI”), which is subject to specific privacy and security protections under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). Please see our HIPAA [Notice of Privacy Practices](#) to learn how we handle PHI and specific rights you have in regard to your PHI. That PHI-specific notice takes precedence and supersedes this Policy in the event of any conflict.

This Policy and your use of any of our Sites is subject to our [Terms & Conditions](#) (“Terms”), and by registering for or otherwise using our Sites, you agree to be bound by our Terms and this Policy. If you have questions about this Policy, please contact us as directed below.

1. Information We Obtain

Some of the information we collect is personal information, which generally means information that identifies you as an individual, or other information we associate with it. We may obtain personal information in various ways, such as when you visit our Sites, including at stores, our website, or when creating a Rite Aid account.

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Your Store: [Select a store](#)

address;

- demographic information, such as date of birth and gender;
- transactional information, such as payment card information (e.g., card number, expiration date, and security code), bank account number, and purchase history;
- information associated with a Rite Aid account, including login credentials (e.g., username and password), profile information and subscription preferences, loyalty programs like RiteAid Rewards (previously wellness+) and available discounts, coupons and promotions;
- information related to prescription management (such as medical information and prescription numbers);
- comments, product reviews and other content provided through or in connection with our Sites;
- geolocation data associated with your use of the Sites;
- for individuals who apply for a career opportunity with Rite Aid: contact information, data submitted on a résumé or in a job application, and other information we obtain to administer the careers process; and
- for individuals who provide services to Rite Aid: contact information and other details we may obtain in managing our relationship with such service providers.

We maintain equipment in our retail stores which may capture information about shoppers, including cameras used for security and operational purposes, in-store networking equipment, and supporting your participation in our loyalty program and use of coupons or promotions we are offering.

We also may obtain other information about you in ways we describe at the time we collect the information or otherwise with your consent.


If you provide us with personal information about any other individual (such as a family member), you represent that you have any necessary consents to give us their information for use in accordance with this Policy.

(B) Information We Collect Automatically

When you interact with our Sites, we can obtain certain information by automated means (referred to as "User Activity") through cookies, web server logs, web

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 Your Store: [Select a store](#)

be used to transmit information collected through cookies back to a web server.

We may use these automated technologies to collect information about your device (e.g., computer, mobile phone), browsing actions, and usage patterns. The information we obtain in this manner may include your device IP address, identifiers associated with your devices, types of devices connected to our services, web browser characteristics, device characteristics, language preferences, referring/exit pages, clickstream data, and dates and times of website visits. These technologies help us (1) remember your information so you will not have to re-enter it; (2) track and understand how you use and interact with our products and services; (3) tailor our Sites around your preferences; (4) measure the usability of our Sites and the effectiveness of our communications; (5) provide customer support; and (6) otherwise manage and enhance our Sites and marketing activities.

Your browser may be configured to alert you when receiving certain types of cookies or enable you to restrict or disable certain types of cookies. You can find out how to do this for your particular browser by clicking “help” on your browser’s menu or visiting www.allaboutcookies.org. For mobile devices, you can manage how your device and browser share certain device data by adjusting the privacy and security settings on your device. Our Sites are not designed to respond to “do not track” signals received from browsers. Please note that without cookies you may not be able to use or benefit from all of the functionality or features on our Sites.

(C) Third-Party Web Analytics Services


We use third-party web analytics services on our Sites, such as Google Analytics and Adobe Analytics. The service providers that administer these services use automated technologies to collect data (such as IP addresses, cookies, and other device identifiers) to evaluate use of our Sites. To learn more about Google Analytics and how to opt out of their tool entirely, please visit www.google.com/analytics/learn/privacy.html.

(D) Online Tracking And Interest-Based Advertising

We may use certain cookies known as “Third Party Targeting Cookies” as well as other advertising techniques to share limited identifying information including Online User Activity with advertising partners to provide you with advertising about products and services tailored to your interests. You may see our ads on other websites or mobile apps through this technique, since it enables us to target our messaging to users considering demographic data, users’ inferred interests and browsing fashion, ad technology companies track users’ online

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 Your Store: [Select a store](#)

may include data about users' visits to websites that participate in the online ad ecosystem, such as the pages or ads viewed and the actions taken on the websites. This data collection takes place both on our Sites and on third-party websites that participate in the online ad ecosystem. This process also helps us track the effectiveness of our marketing efforts. To learn how to opt out of interest-based advertising, please

visit www.aboutads.info/choices and <http://www.networkadvertising.org/choices/>.

You can opt-out of Third Party Targeting Cookies on our Sites by doing the following:

- Go to www.riteaid.com;
- Select "Do Not Sell or Share My Personal Information" link at the bottom of the page;
- Once you are viewing the "Data Preferences" select Advertising; Cookies" and use the toggle button to block advertising cookies;
- Select "Save Preferences."


Please note that you may need to opt-out separately on each browser and device this way. In addition, our Sites endeavor to process "Global Privacy Control" (GPC) signals from web browsers by *automatically* opting-out users from Third Party Targeting Cookies, although GPC technology is not fully developed and it is not yet supported by all browsers.

(E) Information we Receive from Third Parties

We may receive information you provide on behalf of third parties, or third parties provide on your behalf, including but not limited to healthcare providers and gift card purchasers/recipients. We may receive information from or about you if you follow or engage with us through social media platforms that we use. We may also receive information from sources assisting us with (i) enhancing or correcting our customer records; (ii) performing marketing and research services; or (iii) detecting fraud or theft. In the event we acquire a business, we may receive information from the seller of such business.

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 Your Store: [Select a store](#)

We may use the personal information we obtain to:

- provide our products and services, such as to create and manage Rite Aid accounts and loyalty programs, facilitate purchases at our Sites, process and fulfill orders, keep you informed about the status of your orders (including messaging with Rite Aid pharmacists, who may provide you with health care information), and provide related customer and technical support;
- personalize your experience on our Sites, and communicate with you about products and services that may be of interest to you, including promotional materials about Rite Aid and third-party products and services;
- provide and administer your participation in surveys, events, contests and programs (including discount or coupon-related offers);
- provide you with location-based information (such as finding a Rite Aid store near you);
- operate, evaluate, develop, manage and improve our business (including operating, administering, analyzing, and improving our Sites; developing new products and services; managing and evaluating the effectiveness of our communications; conducting market research, aggregating and anonymizing data, and performing data analytics; facilitating the provision of services to Rite Aid; and performing accounting, auditing, and other internal functions);
- protect against, identify and respond to suspected fraud, criminal activity, violations of law or our Terms and other policies, or any harm to our staff or any other individual; and
- comply with and enforce applicable legal requirements, relevant industry standards, contractual obligations and our policies, including this Privacy Policy, our HIPAA Notice of Privacy Practices, and our Terms and Conditions.


We also may use the personal information we obtain in other ways for which we may provide specific notice at the time of collection or otherwise with your consent.

3. How We May Share Information

We may share information about you with the following categories of third parties, where consistent with this Policy and applicable laws:

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 Your Store: [Select a store](#)

perform their required functions on our behalf; and

- Third-party brand manufacturers with whom we may partner to develop discount or coupon programs, and likewise with third parties who provide services that we offer through our Sites.

We also may disclose information about you in certain unusual circumstances, including (1) if we are required to do so by law or legal process; (2) in response to requests by government agencies, such as law enforcement authorities; (3) to establish, exercise, or defend our legal rights; (4) when we believe disclosure is necessary or appropriate to prevent physical or other harm or financial loss; (5) in connection with an investigation of suspected or actual fraud or other illegal activity; or (6) in the event we sell or transfer (or contemplate the sale or transfer of) all or a relevant portion of our business or assets (including in the event of a merger, acquisition, joint venture, reorganization, divestiture, dissolution, or liquidation).

4. Links to Other Online Services

Our Sites may provide advertisements for or links to other online services for your convenience and information, and may include third-party features such as apps, tools, payment services, widgets and plug-ins (e.g., PayPal, Facebook, Twitter, Instagram, LinkedIn and YouTube). These third-party online services and features may operate independently from us. The privacy practices of the relevant third parties, including details on the information they may collect about you, is subject to the privacy statements of these parties, which we strongly suggest you review. To the extent any linked third-party online service or feature is not owned or controlled by us, Rite Aid is not responsible for these third parties' information practices.

You may see us promoted by other businesses on various websites, social media and other platforms. Please note that we do not always have complete information about where our brand may be displayed or promoted, and if you believe that we are featured in venues that are inappropriate or offensive, please contact us as directed below.

5. [Skip to Main Content](#)



Your Store: [Select a store](#)


- **Accessing and Correcting Your Information:** Keeping your account information up-to-date is very important. You can generally review or update your personal information, preferences and communication settings by logging in to the Sites online or by contacting us as directed below.
- **Marketing Emails:** From time to time, we or the brand/services partners we engage with as described above may contact you via email for the purpose of providing announcements, promotional offers, alerts, confirmations, surveys, and/or other general communications. In addition to changing communication preferences in your account (as noted above), you may unsubscribe from such marketing communications at any time by selecting the unsubscribe option within the body of the e-mail. Even if you opt out of receiving such communications, we will continue sending you non-marketing email communications, such as administrative or transaction alerts.
- **Cookies:** As described above, web browsers may offer users the ability to disable receiving certain types of cookies; however, if cookies are disabled, some features or functionality of our Services may not function correctly.
- **Targeted Advertising:** We may work with advertising partners who collect information about your online activities and provide you with choices regarding the use of your browsing behavior for purposes of targeted advertising. Popular advertising services you may opt out of targeted advertising from include Google, Facebook, the Network Advertising Initiative and Digital Advertising Alliance. **See above regarding your ability to opt-out of targeted advertising on our Sites.**
- **Mobile Apps:** You may request that your account be terminated and information deleted via our iOS mobile app in the account settings tab.

(B) Notice Regarding Text Messages

We offer service-related and/or promotional messages. If you affirmatively consent to receive these text messages from us and enroll in any text message program, you will receive updates via text unless you opt-out of the text message program. Message frequency may vary. If at any time you would like to stop receiving text message notifications, please text "STOP" in reply to our message, we will send you a reply message to confirm that you have been unsubscribed and you will no longer receive messages from us. If you want to join again, just sign up as you did the first time and we will start sending messages to you again. If at any time you forget what keywords are supported, just text "HELP" back to us and we will respond with instructions on how to use our service as well as how to unsubscribe.

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(C) State-Specific Privacy Rights

The residents of certain states are entitled to additional privacy disclosures and privacy rights. Please see the end of this Policy regarding such disclosures and to learn more about exercising those rights.

6. How We Protect and Retain Personal Information


We maintain administrative, technical, and physical safeguards designed to protect personal information against accidental, unlawful, or unauthorized destruction, loss, alteration, access, disclosure, or use. No data transmission or storage is 100% secure, and we cannot guarantee that information you send to us online or via email, or information that we maintain about you, will not be accessed, disclosed, altered, or destroyed. We will make any legally required disclosures of any breach of the security, confidentiality, or integrity of your personal information. To the extent the law of your jurisdiction allows for notification of a security or privacy incident via e-mail or the Services, you agree to accept notice in that form.

We retain personal information based on a number of factors, including (i) for business purposes such as for as long as your account is active, as long as is reasonably necessary to provide you with our products and services, and for the other purposes we use your information as described above, and (ii) as reasonably necessary to comply with our legal obligations, resolve disputes and enforce our agreements. We may also retain cached or archived copies of your information for a reasonable period of time.

7. Children's Personal Information

Our Sites are designed for a general audience and are not directed to children under the age of 13. We do not knowingly collect or solicit personal information from [Skip to Main Content](#) of 13 through our Sites, and endeavor to promptly



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8. Updates To This Privacy Policy

We may update this Policy from time to time and without prior notice to you, such as to reflect changes in our personal information practices with respect to our Sites, or to comply with new privacy laws or best practices. We will indicate at the top of the Policy when it was most recently updated. By continuing to use any Sites after such a change, you agree to the updated Policy.

9. How To Contact Us

Please contact us if you have any questions or requests in regard to this Policy or our handling of your information, such as to update or correct your information or preferences, or to submit a request.

You can contact us by phone at: 1-800 RITE AID (1-800-748-3243).

Hearing or Speech Disabled: Dial 711 to reach us through the National Telecommunications Relay.

You also may write to us at: Attn: Privacy Officer, Rite Aid, 200 Newberry Commons, Etters, PA 17319.

10. State-Specific Notices


NOTE: Rite Aid is subject to federal privacy laws under HIPAA as described in our HIPAA Notice of Privacy Practices, and it is therefore not subject to certain state privacy laws that exempt HIPAA-regulated organizations. However, we provide consumers with privacy rights that may be exercised in accordance with our [HIPAA Notice of Privacy Practices](#), and additionally provide certain access, correction and opt-out services as described in Section 5 above.

(A) California Residents: Retail Customers

This Section is provided specifically for California residents. In addition to the disclosure provided above in this Policy, if you are a California resident

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 Your Store: [Select a store](#)


This Section elaborates on the disclosures at the top of this Policy in regard to the categories of personal information we may about you:

- **Identifiers:** identifiers such as a real name, alias, postal address, unique personal identifier (such as a device identifier; cookies, beacons, pixel tags, mobile ad identifiers and similar technology; customer number, unique pseudonym, or user alias; telephone number and other forms of persistent or probabilistic identifiers), online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, and other similar identifiers;
- **Additional Data Subject to (Cal. Civ. Code § 1798.80):** signature, physical characteristics or description, state identification card number, bank account number, credit card number, debit card number, and other financial information;
- **Protected Classifications:** characteristics of some protected classifications under California or federal law, such as race, age, gender, disability status, and veteran status;
- **Commercial Information:** commercial information, including records of products or services purchased, obtained, or considered, and other purchasing or consuming histories or tendencies;
- **Biometric Information:** imagery of the face;
- **Online Activity:** Internet and other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding your interaction with websites, applications or advertisements;
- **Geolocation Data;**
- **Sensory Information:** audio and visual information;
- **Employment Information:** professional or employment-related information that is typically found on a résumé;
- **Inferences:** inferences drawn from any of the information identified above reflecting your preferences, characteristics, and purchasing behavior.

We may use personal information as described above near the top of this Policy, which is further illustrated in this table:

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- Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal
- Debugging to identify and repair errors that impair existing intended functionality
- Undertaking internal research for technological development and demonstration
- Undertaking activities to verify or maintain the quality or safety of a service or device

2. Our Prior Collection, Use and Disclosure of Personal Information

In addition to the description near the top of this Policy, for personal information we may have collected during at least the last 12-month period, we provide further below: (a) the categories of sources from which we may have obtained the personal information, (b) the categories of third parties with whom we may have shared the information, (c) the categories of personal information we may have sold, and (d) the categories of personal information we may have disclosed for a business purpose.

a. Sources of Personal Information

Categories of Sources of Data Collection
Directly from you, such as when you make a purchase or use a service in a Rite Aid store
From your device(s), such as when you visit our Sites
Vendors who perform services on our behalf
Our joint marketing partners
Online advertising companies
Consumer data resellers

b. Sharing of Personal Information

Categories of Third Parties	Identifiers	Additional
Our Skip to Main Content	X	



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Online advertising services	X	
Government entities	X	X
Data analytics providers	X	
Social networks	X	
Consumer data resellers	X	

c. Sale or Sharing of Personal Information

We may “sell” to, or “share” with, third parties (as such terms are defined under applicable state privacy laws) certain (i) Identifiers, (ii) Commercial Information, (iii) Online Activity, and/or (iv) Inferences, primarily to engage in online advertising activities and provide tailored content and ads that may be of interest to you. You have the right to opt out of this disclosure of your information, as detailed below.

We do not sell or share information about individuals between 13-16 years old without affirmative authorization to do so, if we have actual knowledge of the individual's age. As noted above, we do not knowingly collect or use information from minors under 13 without parental consent.

d. Disclosure of Personal Information for a Business Purpose

We may have disclosed all of the categories of personal information described above to affiliates and service providers for a business purpose as described above.

3. Your Additional Privacy Rights

If you are a California resident you can exercise certain additional rights regarding your personal information, as described below.

a. Access, Correction and Deletion Rights

- You may request a copy of the following: (1) the categories of personal information we collected about you; (2) the categories of sources from which the personal information is collected; (3) the business or commercial purpose for collecting or selling (if applicable) the personal information; (4) the categories of third parties with whom we shared personal information, and the categories of personal information shared; and (5) the specific pieces of your personal information that we have collected, used, disclosed, or sold.

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customer requests, and for certain other internal business purposes described in our Policy.

Before submitting any request, please note the following important information:

- You may directly access much of your personal information if you have an account with us by logging in to the Sites and visiting your account page (e.g., contact information, profile). Likewise, you may directly correct some of your personal information on your account page
- If you are submitting a *deletion* request, your account will be permanently terminated and personal information on that account will be deleted consistent with any applicable laws. Once your deletion request is processed: (i) you will lose the ability to log into our Sites; (ii) you will no longer have a RiteAid Rewards account, so you will no longer be able to earn points; any accumulated points will be deleted, and you will no longer have the ability to redeem any points. To the extent we are able to link the information in your request to our marketing programs (e.g., email and text subscriptions), we will remove you from those programs, but depending on how you enrolled in those programs you may need to separately opt-out of them as described above. If your account is deleted, you will be able to open a new account in the future, but you will not be able to tie the new account to any past transactions or rewards program participation.

Rite Aid CCPA Consumer Request Metrics - Calendar Year 2022.

Year	2022
------	------


Request Type	# Of Requests	Average Days Of Responding
Do Not Sell My Information	2,349	7.0
Data Deletion	106	10.9
Info Request	7	28.8
Total	2,462	7.2

To submit an access, correction or deletion request: Click [here](#) or call us at 1-855-648-6980.

b. Opt-Out Rights

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collected and as otherwise permitted by law. As described above, certain identifying information with Online User Activity may be shared with brands/services we partner with, advertising businesses and other third parties through Third Party Targeting Cookies or other means. You are entitled to opt-out of these and other activities (some of which are referred to as a “Do Not Sell” right):

- Any selling or sharing of your personal information to a third party (excluding service providers or other exceptions permitted by law);
- Any third-party targeted advertising (i.e., cross-context behavioral advertising); and
- Any use of sensitive personal information (such as precise geo-location information) except for the purposes it was collected and as otherwise permitted by law.

As described above, you can opt-out of Third Party Targeting Cookies by as described above or the used of an automated GPC signal from your browser. All other opt-opts can be exercised as provided below.

Privacy laws may provide you with other opt-out rights which are inapplicable to us. In particular, we do not engage in impactful profiling activities with respect to our customers.

To submit an Opt-Out Request: Click [here](#) or call us at 1-855-648-6980.


c. Verifying and Processing Requests

To help protect your privacy and maintain security, we will take steps to verify your identity before granting you access to your personal information or complying with your request. You will be required to provide some information, based on the nature of your request, including, but not limited to: name, email, home address, date of birth, phone number, Rite Aid Rewards (formerly wellness+) look-up phone number and/or Rite Aid Rewards account number. In addition, if you ask us to provide you with specific pieces of personal information, we will require you to sign a declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request. If you designate an authorized agent to submit a request on your behalf (a) we may require you to provide the authorized agent written permission to do so, and (b) we may require you to verify your own identity directly with us as described above.

If we deny a privacy request, you may appeal the decision to us at the contact information provided below. To the extent possible, please describe the basis for

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that we may otherwise continue to share your personal information with our affiliates and service providers, and as otherwise directed by you, for the purposes described in our Policy.

To the extent permitted by applicable law, we may charge a reasonable fee to comply with your request. This Policy is available in alternative formats upon request. Please contact Telephone # 717-214-8884, Email: Section504.CRC@RiteAid.com; Fax: 717-975-5711; Mailing Address: 200 Newberry Commons, Etters, PA 17319 to request this Policy in an alternative format. If you are deaf or hard of hearing and communicate by telephone by using teletype, you may contact us by calling 711 (the free nationwide telecommunications relay service). After calling 711, you may communicate to the Communications Assistant answering the 711 call that you wish to reach Rite Aid at 1-855-648-6980. The Communications Assistant will then facilitate the communications between you and the Rite Aid representative.

4. Additional Disclosures


The Rite Aid Rewards Program (the “Rewards Program”) is our loyalty program that offers Program members (“Members”) the opportunity to earn points (“Points”) in connection with their disclosure of personal information to Rite Aid as part of the Rewards Program.

Subject to certain restrictions, Members using a Rite Aid account subscribed to the Rewards Program (“Program Account”) at eligible Rite Aid stores, on the Rite Aid website, or on the Rite Aid app, can earn Points that can be used towards the purchase of eligible products and prescriptions. Members with at least 1,000 Points can convert their Points into merchandise credit called “BonusCash Rewards.” Members also may be eligible for additional savings, discounts, exclusive pricing, and promotional offers made available by Rite Aid as part of the Rewards Program. We may also send Members marketing and promotional communications (such as by email, text or through our mobile app. **Please see our Rewards Program [page](#) as well as the program-specific terms [here](#) for more information, including with respect to enrollment and withdrawal from the Rewards Program, earning Points, and redeeming Points.** Please note that Rewards Program offers and terms are subject to change from time to time.

Rite Aid does not generally assign monetary value to consumers’ personal information, and promotions associated with the Rewards Program can change continually. **Section 504 of the Americans with Disabilities Act** privacy laws requires that a value be assigned to such

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the discounts or other benefits provided in each such program, based upon a practical and good-faith effort to assess, on an aggregate basis for all collected information: (i) the type of information collected in the Rewards Program (e.g., email address), (ii) the use of such information by Rite Aid in connection with its marketing activities, (iii) the range of discounts provided (which can depend on each individual's purchases under such offers), (iv) the volume of individuals enrolled in the Rewards Program, and (v) the eligible products and services for which the benefits (such as a discount) can apply. These variable factors continue to change over time. This description is without waiver of any proprietary or business confidential information, including trade secrets, and it does not constitute any representation with regard to generally accepted accounting principles or financial accounting standards.

~~(B) California Residents: Non-Retail Customers~~


Privacy rights apply to all individuals (not just retail customers), including job applicants, current and former employees, contractors and business partners. Due to the nature of these relationships, the collection and use of personal information can vary, but in general terms and in addition to all the disclosures above:

- *Job applicants* may provide us with personal information as part of an employment application and review process that includes the applicant's contact information, education and employment history, resume and cover letter. We do not use this information for any purpose other than to evaluate the individual for employment with us and manage our careers program. Job applicants may provide additional information for routine background checks to a third party provider of such services, under specific privacy terms and consents that will be provided at the time of collection.
- *Employees* receive information that provides additional details regarding our employee privacy practices.
- We collect contact information and other personal information reasonably necessary to engage and work with *contractors* and *business partners* in the course of a business relationship.

All such individuals who are California residents can request additional information about our privacy practices with respect to their information, as well as make the access, deletion, correction and opt-out requests as described above, by submitting the form available [here](#) by contacting us at 1-855-648-6980. Please provide sufficient information that we can identify you, and be aware that we may employ a more extensive authentication process to verify your identity before responding to your

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For Nevada residents, please note that we do not sell personal information as defined by Nevada law (Nevada Revised Statutes, Chapter 603A, Section 1.6). You can submit a request to us regarding the sale of such information as directed by the contact information provided above.

11. International Data Transfers And Use

Our Sites are controlled and operated by us from the United States and are not intended to subject us to the laws or jurisdiction of any state, country or territory other than those of the United States. Any information you provide through use of the Sites may be stored and processed, transferred between and accessed from the United States and other countries which may not guarantee the same level of protection of personal information as the one in which you reside. However, we will handle your personal information in accordance with this Policy regardless of where your personal information is stored or accessed.




**Refill
Prescriptions**



**Shop by
Department**

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Call Us: 1-800-RITE-AID
(1-800-748-3243)



Hearing or Speech Disabled
Dial 711 to reach us thru
National Telecommunications
Relay



[About Us](#)



[Rite Aid Rewards](#)



[Help](#)




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[Do Not Sell or Share My Personal Information](#)

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Exhibit B

Rite Aid Notice of Privacy Practices Effective as of September 2, 2022



 Your Store: [Select a store](#)

Notice of Privacy Practices

This notice describes how medical information about YOU may be used and disclosed and how YOU can get access to this information. Please read it carefully.

Rite Aid will ask you to sign an Acknowledgment that you have received this Notice of Privacy Practices ("Notice"). This Notice describes, in accordance with the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") Privacy Rule, how Rite Aid may use and disclose your protected health information to carry out treatment, payment or health care operations and for other specific purposes that are permitted or required by law. The Notice also describes your rights and Rite Aid's duties with respect to protected health information about you.


TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS

We will use your protected health information to treat you. For example, we may receive written, verbal, facsimile or electronic health information and prescription orders for you and will use protected health information to dispense prescription medications to you. We may also disclose your information to other health care providers to coordinate your treatment and provide you with prescriptions, lab work or other healthcare. We may contact you to provide treatment-related services, such as refill reminders, treatment alternatives (e.g., available generic products), and other health-related benefits and services that may be of interest to you.

We will use your protected health information to obtain payment for products and services. For example, we may contact your third party payor (such as your insurer or pharmaceutical benefits manager) to determine whether the third party payor will pay for your prescription. We will bill you and/or a third party payor for the cost of prescription medications dispensed to you. The information on or accompanying the bill may include your identification information, as well as the prescriptions you are taking.

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 Your Store: [Select a store](#)

the purposes of carrying out pharmacy services if we buy or sell pharmacy locations.

USES AND DISCLOSURES THAT ARE EITHER PERMITTED OR REQUIRED BY THE HIPAA PRIVACY RULE

Using their professional judgment, our pharmacists may disclose your protected health information to a family member, other relative, close personal friend, or any person you identify as being involved in your health care. This could include allowing those persons to pick up filled prescriptions, medical supplies, or medical records on your behalf. We may enter into contracts with some entities known as Business Associates that perform services for us. For example, we sometimes engage Business Associates to sort insurance or other third party payor claims for submission to the actual payor. We may disclose protected health information to our Business Associates so that they can perform their services and then bill your third party payor for services rendered. We require the Business Associates to appropriately safeguard the protected health information.


OTHER REQUIRED OR PERMITTED DISCLOSURES OF PROTECTED HEALTH INFORMATION

Although it is likely that Rite Aid may never have reason to make some of these disclosures, there are certain limited circumstances where the law may require us to disclose your protected health information. Also, in other cases, federal and state laws allow us to disclose your protected health information. Below is a list of the circumstances that the law either requires or allows us to disclose your protected health information:

- to the Food and Drug Administration (FDA) relative to adverse events regarding drugs, foods, supplements, and other health products or to post marketing surveillance to enable product recalls, repairs, or replacement;
- to public health or legal authorities charged with preventing or controlling disease, injury, or disability;
- to law enforcement agencies as required by law or in response to a valid subpoena or other legal process;
- to health oversight agencies (g., medical licensing boards) for activities authorized by law such as audits, investigations, and inspections necessary for Rite Aid's licensure and for the government to monitor the health care system, etc.;
- in response to a court order, administrative order, subpoena, discovery request, or other legal process, or in connection with a lawsuit or other dispute involving a patient,

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- whenever required to do so by law;
- to a coroner or medical examiner when necessary, for example, to identify a deceased person or to determine a cause of death, or to funeral directors consistent with applicable law to carry out their duties;
- to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation and transplant, consistent with applicable law;
- to notify, or assist in notifying, a family member, personal representative, or another person responsible for the patient's care, of the patient's location, or general condition;
- to a correctional institution or its agents, if a patient is or becomes an inmate of such an institution, when necessary for the patient's health or the health and safety of others;
- when necessary to prevent a serious threat to the patient's health and safety or the health and safety of the public or another person;
- as required by military command authorities, when the patient is a member of the armed forces, and to appropriate military authorities about foreign military personnel;
- to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law;
- to authorized federal officials so they may provide protection to the President, other authorized persons, or foreign heads of state or conduct special investigations;
- to a government authority, such as a social service or protective services agency, if Rite Aid reasonably believes the patient to be a victim of abuse, neglect, or domestic violence, but only to the extent required by law, if the patient agrees to the disclosure, or if the disclosure is allowed by law and Rite Aid believes it is necessary to prevent serious harm to the patient or to someone else or the law enforcement or public official that is to receive the report represents that it is necessary and will not be used against the patient.

MORE STRINGENT STATE LAWS

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AUTHORIZED USES AND DISCLOSURES OF PROTECTED HEALTH INFORMATION

We will obtain your written Authorization before using or disclosing protected health information about you for marketing purposes, to sell your protected health information, or for purposes other than those listed above or otherwise permitted or required by law. You may revoke an Authorization in writing at any time. Such revocations must be made in writing. Upon receipt of the written revocation, we will stop using or disclosing protected health information about you, except to the extent that we have already taken action in reliance on the Authorization.

THE PATIENT'S RIGHTS

RESTRICTION REQUESTS


You have the right to request that we restrict how your protected health information is used or disclosed in carrying out treatment, payment, or health care operations. Such requests must be made in writing via the [amendment to PHI form](#) to the Privacy Office, Rite Aid, P.O. Box 3165, Harrisburg, PA 1710 or to the fax number listed on said form. If you request the restriction of a disclosure that is (i) made for the purpose of carrying out payment or health care operations, (ii) not otherwise required by law and (iii) relates to an health care item or service for which you have paid out of pocket in full, then we will honor your affirmative request not to disclose that information to a health plan. We are not required to agree to most other required restrictions. If, however, we do agree to the requested restrictions, that agreement will be binding on us. If you are a minor who has lawfully provided consent for treatment and you wish Rite Aid to treat you as an adult for purposes of access to and disclosure of records related to such treatment, please notify Rite Aid's Privacy Officer.

ALTERNATIVE MEANS OF COMMUNICATION

You have the right to request that our communications to you concerning your protected health information be made by alternative means or at alternative locations. For example, you may wish us to communicate in some way other than mailing to your home address or calling your home telephone number. Such requests must be made in writing via the [amendment to PHI form](#) to the Privacy Office, Rite Aid, P.O. Box 3165, Harrisburg, PA 17105 or the fax number listed on the form. We will comply with a reasonable request for such an alternative means of communication.

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 Your Store: [Select a store](#)

protected health information. The designated record set usually will include prescription and billing records. To receive a copy of your protected health information, you can either (i) request such access via the Portal, (ii) print, complete and fax a [records request](#) form, including any supporting documentation, or (iii) mail a completed [records request form](#) [AP2] and supporting documentation to the Privacy Office, Rite Aid, P.O. Box 3165, Harrisburg, PA 17105. In most cases, we will charge you a reasonable fee for the costs of copying, mailing, or other supplies that are necessary to grant your request. We may also deny your request to inspect and copy in limited circumstances. If you are denied access to your protected health information in most cases you may request that the denial be reviewed.


AMENDMENTS TO PROTECTED HEALTH INFORMATION

If you feel that the protected health information we maintain about you is incomplete or incorrect, you may request that we amend it. You may request an amendment for as long as we maintain the protected health information. A request for an amendment must be made in writing. Please print and complete an [amendment to PHI form](#), send it to the Privacy Office, Rite Aid, P.O. Box 3165, Harrisburg, PA 17105 or to the fax number listed on said form. You must include a reason that supports your request. In certain cases, we may deny the request. If the request for amendment is denied, you have the right to file a statement of disagreement with the decision, and we may give a rebuttal to your statement.

ACCOUNTING OF DISCLOSURES OF PROTECTED HEALTH INFORMATION

For most disclosures of protected health information other than those made for treatment, payment, or health care operations, you have the right to receive an accounting of the disclosures we made in the six years before the date of your request for an accounting of disclosures of your protected health information. The accounting will exclude disclosures we may have made directly to you, disclosures to friends or family members involved in your care, and disclosures for purposes you specifically authorized in writing. The right to receive an accounting of disclosures of protected health information is subject to certain other exceptions, restrictions, and limitations. A request for an accounting must be made in writing. Print and complete an [accounting of disclosures form](#), send it to the Privacy Office, Rite Aid, P.O. Box 3165, Harrisburg, PA 17105, or fax it to the number listed on the form. The time period for the requested accounting must be specified and it may not be longer than six years. The first accounting you request within a 12-month period will be provided free of charge, but you will be charged for the cost of providing additional accountings within that period. We will notify you of the cost involved and you may choose to withdraw or modify the request at that time.



 Your Store: [Select a store](#)

We are required by law to maintain the privacy and confidentiality of protected health information and to provide you with a Notice of Privacy Practices including our legal duties with respect to protected health information. We are also required by law to notify you following a breach of your unsecured protected health information.

We reserve the right to change the terms of our Notice and to make the new Notice provisions effective for all protected health information that we maintain. When we make changes in our Notice, copies of the revised Notice will be available on request in all our pharmacies. A copy will be posted in all of our pharmacies and will be available on our web site at www.riteaid.com.

FOR MORE INFORMATION OR TO REPORT A PROBLEM

If you have questions or would like additional information about our privacy practices, you may contact the Privacy Office at (717) 761-2633 or by writing to the Privacy Office, Rite Aid, P.O. Box 3165, Harrisburg, PA 17105. Forms for filing a written complaint to Rite Aid are available at our pharmacies. If you believe your privacy rights have been violated, you can file a complaint with Rite Aid's Privacy Office or with the Secretary of Health and Human Services. There will be no retaliation against you for filing a complaint.

EFFECTIVE DATE

This Notice of Privacy Practices is effective as of 9/2/2022.




**Refill
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App



Call Us: 1-800-RITE-AID
(1-800-748-3243)



Hearing or Speech Disabled
Dial 711 to reach us thru
National Telecommunications
Relay



About Us



Rite Aid Rewards



Help



[Terms And Conditions](#) | [Privacy](#) | [Patient Privacy](#) | [Accessibility](#) | [CA Privacy](#) |
[Do Not Sell or Share My Personal Information](#)

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Exhibit C

Elixir Privacy Policy Effective as of June 13, 2022



Privacy Policy

Website Privacy Policy

1. Introduction

This website is administered by Elixir Rx Solutions, LLC and its affiliates (“**Elixir**”, “**Company**”, “**we**”, “**us**” or “**our**”). Elixir respects your privacy and is committed to protecting it through our compliance with this Privacy Policy. This policy describes the types of information we may collect from you or that you may provide when you visit the Elixir website (our “**Website**” or “**Site**”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect:

- On this Website.
- In email, text, and other electronic messages between you and this Website.
- Through any mobile and/or desktop applications you download from this Website, which provide dedicated non-browser-based interaction between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this policy.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Company or any third party (including our affiliates and subsidiaries); or

- Any third party (including our affiliates and subsidiaries), including through any application or content (including advertising) that may link to or be accessible from or on the Website.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this Privacy Policy. This policy may change from time to time at the sole discretion of Elixir. Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates. This policy is applicable only to the Elixir website.

2. Children Under the Age of 13

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any personal information to or on the Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Website or on or through any of its features/register on the Website, make any purchases through the Website, use any of the interactive or public comment features of this Website or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please send an email to compliance@elixirsolutions.com or write to us at:

Elixir Rx Solutions, LLC
Attn: Privacy Officer
7835 Freedom Avenue NW
North Canton, OH 44720

3. User Consent

You are deemed to have consented to the terms contained in this Privacy Policy when you use the Website and/or when you submit Personal Information (as defined below) through the Website. You agree to the terms of this Privacy Policy and expressly consent to the processing of your Personal Information in accordance with this Privacy Policy each time you access the Website and/or submit Personal Information through the Website. If you do not agree to the terms of this Privacy Policy, please do not use the Website. The terms contained in this Privacy Policy are subject to and may be superseded by applicable Federal and State laws.

4. Information We Collect

Elixir collects Personal Information, Protected Health Information and other anonymous information from you when you use the Website. **Elixir is firmly committed to protecting the confidentiality and security of your Personal Information and Protected Health Information.**

4.1 Personal Information and Protected Health Information

(a) Personal Information and Protected Health Information. “Personal Information” means data that is personally identifiable to you, including your name, address, telephone number, e-mail address and Website login credentials, as well as any other non-public information about you that is associated with, or linked to, such information. Your Personal Information may include “protected health information” (“PHI”) subject to privacy and security protections under the Health Insurance Portability and Accountability Act (“HIPAA”). For example, your member identification number and medication information, if applicable, would constitute PHI. For more information about how Elixir safeguards PHI in compliance with HIPAA, please see our Privacy Notice for [Elixir Insurance](#) and [Elixir Pharmacy](#), LLC, as applicable. To the extent any terms in this Privacy Policy conflict with any terms in the Notice of Privacy Practices, the conflicting terms in the Notice of Privacy Practices will control and override the corresponding terms in this Privacy Policy.

We collect Personal Information such as the following in connection with the Website:

(i) When you create an account with us, we will collect your first and last name, middle initial, e-mail address, password, address, and telephone number.

(b) Transactions. In addition to providing Personal Information during the registration process, you may provide us with Personal Information and PHI to fulfill transactions that you may have requested through the Website.

(c) Contacting Us. After you register for our Website, you may contact us through the Website to provide feedback and testimonials about your use of the Website. You may provide Personal Information to us when you provide feedback on and testimonials about our Site.

(d) Analytics. We may use certain in-house or third-party functionality to analyze your communications with us and interactions with the Website. The analysis enables us to monitor the services that we provide so that we can improve the services provided to you through the Website. These third parties will be required to protect any Personal Information and PHI in accordance with this Privacy Policy. Other analytics capabilities are reflected below in the description of Non-Personal Information.

4.2 Non-Personal Information and Other Types of Data

(a) Non-Personal Information. When you use the Website, and during your interactions with the Website, we may collect Non-Personal Information from you (“Non-Personal Information”). Non-Personal Information means a data element or collection of data elements that by itself cannot ordinarily be associated with a specific individual. Non-Personal Information includes by way of example but not limitation, the Internet browser or computer operating system you are using, your navigation of the Website including the pages of the Website that you access, the amount of time spent on various portions of the Site, the length and dates of your use of the Site, and certain Website data captured through your interactions with the Site. Non-Personal Information may include information provided by you through the Website or otherwise (e.g., through a third-party website) that

is not Personal Information or PHI. Certain Non-Personal Information may be collected on an aggregated, anonymous basis through web server logs, cookies, ad servers, tracking pixels, web beacons, and similar Internet tracking devices (collectively “Tracking Mechanisms”). Based on certain interactions with the Website, third-party websites, mailings, other communications with us, and/or our system configurations, certain Non-Personal Information may be associated with your Personal Information such that your Non-Personal Information is identifiable with you. You may be able to opt-out of certain third-party associations by following customization and/or opt-out options as described below.

(b) Cookies (or browser cookies); Flash Cookies; and Web Beacons. A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website. Additionally, certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies, see the ***Your Choices Regarding Your Personal Information and Protected Health Information*** Section within this Privacy Policy. Pages of the Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

(c) IP Addresses, Phone Serial Numbers, Phone Numbers and Aggregate Data. Internet Protocol (“IP”) addresses, phone serial numbers and phone numbers are used by your computer every time you are connected to the Internet. Your IP address is a number used by computers on the network to identify your specific computer device. IP addresses are automatically collected by our web server as part of demographic and profile data (“Traffic Data”) so that certain information (such as the web pages you request) may be sent to you. We may combine, separate, aggregate, or otherwise parse and process Non-Personal Information. The parsing and processing of such information may generate Aggregate Data (“Aggregate Data”). Aggregate Data is summary level data, such as a number of Website visitors in a specific geographic area. Aggregate Data does not contain information that can be used to identify or contact you, such as your name, address, telephone number or e-mail address, and does not reflect the original form of the Non-Personal Information collected from you.

(d) Referer. A “Referer” is the information transmitted by a web browser or application that references the Web URL you linked from, and is automatically collected by our web server as Traffic Data. We reserve the right to use this information to identify broad demographic trends that may be used to provide information tailored to your interests. You will not be personally identified from this information.

(e) System Information. System information that we collect as part of Traffic Data includes time, the type of web browser or phone being used, the operating system/platform, phone network and CPU Speed (“System Information”). System Information is sent automatically by your web browser when you are connected to a website or mobile application. We reserve the right to use System Information for purposes of identifying broad demographic trends. System Information may also be used to provide information appropriate for your specific computer device. You will not be personally identified from this information.

4.3 Third-Party Information Collection

We may disclose Non-Personal Information to third parties as follows: (i) we may share Non-Personal Information with our affiliated companies, third parties who provide services to us, and other parties that you have authorized; and (ii) we may disclose products and services developed using the Non-Personal Information, including products and services that disclose anonymous and/or de-identified Website data for any legitimate business purpose. However, we will not sell your Non-Personal Information to other companies or organizations.

5. Use of Information We Collect

5.1 Non-Personal Information

(a) Use of Non-Personal Information. The collected Non-Personal Information may be used by us and our affiliated companies for a variety of analytic and developmental purposes including to improve and enhance the Website and our products and services, to create new products and services, to customize your experience on the Website and other websites and/or mobile applications you use, to identify and/or offer products, services and mobile application and/or website functionality that may be of interest to you, and other legitimate business purposes.

(b) Use of Cookies; Flash Cookies; and Web Beacons. We may use different kinds of cookies including session ID cookies and persistent cookies. Session ID cookies are used to personalize your user experience, to determine ways to improve the Site, Site Content, and the services offered through the Site. These cookies are deleted from your hard drive and/or mobile device when you close your Website session. Persistent cookies are used to collect non-personally identifiable information such as IP addresses, browser type, Internet Service Provider (ISP), referring/exit pages, platform type, date/time stamp and number of clicks.

You may set your browser and/or mobile device to accept cookies, warn you when a cookie is sent, or turn off all cookies (except Flash cookies). Check your web browser’s help menu or your mobile device settings to find out how. Some mobile devices store cookies not only in areas connected to the web browsers but also in app-specific areas, so you may have to check your device’s mobile application settings options to determine how to manage or delete cookies stored in these other areas. If you do not accept cookies, some features, services, or activities available through the Website may not function correctly and you may be unable to access certain content.

We may embed tracking pixels within various pages of the Website to enable use of Site analytics. The Site analytics enable us to determine the usage frequency of various areas of the Website and identify areas of the Website for enhancement. While you are using the Site and after you leave the Site, we may use web beacons to notify you of areas of the Website and other aspects of our organization and its affiliated companies in which you may be interested. Certain tracking pixels and web beacons may be cleared or reset through configuration of your web browser and/or mobile application settings such as by clearing your cache. We may use ad servers to provide you with offers of possible interest.

(c) Use of IP Addresses, Phone Serial Numbers, Phone Numbers and Aggregate Data. We use your IP address so that we can send data (such as the pages you request) to you and collect Non-Personal Information during the process. We aggregate this Non-Personal Information with similar Non-Personal Information collected from other users to track overall visitor traffic patterns and help us understand Website usage and preferred and most frequently used pages, products and services, to provide you with better service, to improve Site use and functionality, and to provide you with information on other products and services that may be of interest to you.

We may perform statistical analyses of the Traffic Data, Website usage, and behaviors associated with the Website. We may use these analyses to generate aggregate data from the original Non-Personal Information.

(d) Third-Party Usage. We work with third parties to (i) operate and maintain the server(s) on which the Website operates, (ii) enable login to the Website utilizing third party platform login credentials, (iii) provide Tracking Data that we embed in or use with the Website, (iv) provide advertisements and other information to you about the Website, products, and services through a third-party website or mobile application based on a prior visit to the Website, (v) analyze communication with us and interactions with the Website, (vi) de-identify data, and (vii) collect Non-Personal Information from you (e.g., on your interactions and/or experience with the Website and/or us). The third party may then share the Non-Personal Information, Aggregate Data, and/or other data with us.

5.2 Personal Information and Protected Health Information

Elixir uses and stores your Personal Information and PHI in order to provide the Website to you, and to analyze and improve upon the operation of the Website. Personal Information and PHI may also be used for operational and administrative purposes of the Website. We may share your Personal Information and PHI with other Elixir companies (i.e., entities which are controlling, controlled by, or under common control with Elixir) to provide you with more personalized and enhanced services. However, we will not use or disclose your Personal Information or your PHI in a manner inconsistent with applicable law, this Privacy Policy or the Notice of Privacy Practices. Additional examples of our uses and disclosures of your Personal Information and PHI may include the following:

(a) Requested Transactions. Elixir uses and stores Personal Information and PHI in order to fulfill transactions that you have requested through the Website. For instance, we may manage your

prescription benefits and process your prescription drug claims. This process may involve sharing certain Personal Information and/or PHI with you and/or your doctor, pharmacists, health plan or administrator. These disclosures are made in accordance with the terms of your health plan or prescription benefit plan.

(b) Communications. If you register for the Website and provide your Personal Information for communications, we may communicate with you via e-mail and/or the Website, and similar mechanisms.

(c) Contacting Us. We value your feedback on, and appreciate any testimonials about, our Website. You may provide Personal Information to us when you provide feedback on and testimonials about our Website. This Personal information will not be used and/or disclosed in a manner inconsistent with applicable law, this Privacy Policy or the Notice of Privacy Practices. However, if you send us any feedback or testimonials, any information provided that is not Personal Information or PHI shall be deemed, and shall remain, the property of Elixir, and shall not be considered confidential.

(d) Analytics. We may use certain in-house or third-party functionality to analyze your communications with us and interactions with the Website. Any Personal Information or PHI analyzed for this purpose will not be used and/or disclosed in a manner inconsistent with applicable law, this Privacy Policy or the Notice of Privacy Practices. In addition, any third party will be required to protect any Personal Information and PHI in accordance with this Privacy Policy.

6. Disclosure to Third Parties

6.1 Disclosure to Third-Party Service Providers

We may share your Personal Information with, or allow your Personal Information to be collected by, third-party service providers: (a) to provide you with the services that we offer you through our Website; (b) to conduct quality assurance testing; (c) to facilitate creation of accounts; (d) to provide technical support; or (e) to provide other services to us or you. These third-party service providers are not authorized by us to use your Personal Information other than to provide the services requested by Elixir and such service providers will be required to protect your Personal Information in accordance with this Privacy Policy. We may utilize select service providers to make targeted non-personal communications to an aggregated audience regarding our offerings and other potentially relevant benefit information of interest to you. However, these communications will not be based on your PHI. You expressly consent to the sharing of your Personal Information with our contractors and other service providers as described herein.

6.2 Legal Disclosures

Regardless of any choices you make regarding your Personal Information or PHI (as described below), Elixir may disclose Personal Information or PHI if it believes in good faith that such disclosure is necessary to: (a) comply with relevant laws or to respond to subpoenas or warrants served on Elixir; (b) protect or defend the rights or property of Elixir or users of the Website; (c) assist in the detection

and investigation of fraud and other illegal activity; and/or (d) to investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy or our Elixir Website Terms of Use. Additionally, we may disclose your Personal Information to relevant third parties such as Federal and State regulatory agencies, site technicians, auditors, lawyers, or other professional advisors. Any such use or disclosure of your Personal Information or PHI will be done in a manner consistent with applicable law, this Privacy Policy or the Notice of Privacy Practices.

6.3 Acquisitions

All Personal Information, PHI, and Non-Personal Information obtained through our Website are owned by us. Accordingly, if another company acquires our company or our assets, that company will thereafter possess the Personal Information, PHI, and Non-Personal Information collected by us, and will assume the rights and obligations regarding your Personal Information, PHI, and Non-Personal Information as described in this Privacy Policy.

7. Your Choices Regarding Your Personal Information and Protected Health Information

7.1 Tracking Technologies and Advertising

You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this Website may then be inaccessible or not function properly.

7.2 Changes to Personal Information or Protected Health Information

You may change any of your Personal Information or PHI in your account by editing your profile. You may request deletion of your Personal Information or PHI by us, but please note that we may be required (by law or otherwise) to keep this information and not delete it (or to keep this information for a certain time, in which case we will comply with your deletion request only after we have fulfilled such requirements). When we delete any information, it will be deleted from the active database, however, such information may continue to be retained on our backup and archival systems. Accordingly, when you request that we remove your information from our systems, copies may remain on our systems for a certain time. Please note that such requests are handled promptly, but it does require some time to complete the request. Until that time, your information may continue to be used in accordance with the terms of this Privacy Policy.

7.3 Sharing of Personal Information

We will never sell, rent, or license Personal Information to a third party without your permission, except as otherwise provided in this Privacy Policy.

8. General

8.1 Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Website like message boards. The information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

8.2 Your California Privacy Rights

California Civil Code Section § 1798.83 permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to compliance@elixirsolutions.com or write us at:

Elixir Rx Solutions, LLC
Attn: Privacy Officer
7835 Freedom Avenue NW
North Canton, OH 44720

8.3 Links to Third Party Websites

The Website may contain advertisements and/or Linked Sites owned or operated by third parties. Such links are provided for your reference only, and Elixir has no responsibility or liability for the privacy practices or the content of those websites. Please note that once you click on an advertisement and/or Linked Sites that transfers you from our Website to a Linked Site, you have left our Website, and this Privacy Policy will immediately cease to apply to any subsequent activity on the Linked Site. We are under no obligation to notify you when you have left our Website and have accessed a Linked Site.

Additionally, if you make a purchase from a store or merchant listed on, or linked to, the Website, any information that you give, such as your credit card number or contact information, is provided to those merchants. These merchants have separate privacy and data collection practices, and Elixir has no responsibility or liability for these independent policies. Users are encouraged to review the privacy

policies of each third-party website. This Privacy Policy applies solely to information collected by your use of the Website.

8.4 Amendments

Elixir may modify or amend this Privacy Policy from time to time. If we make any material changes, as determined by us in the way in which Personal Information or PHI is collected, used or transferred, we will notify you of these changes by modification of this Privacy Policy, which will be available for review by you on the Website. We will provide you with advance notice of a major change prior to your access of any portion of the Website for which registration is required. For example, we may (a) require that you reaccept the updated version of the Website policies, (b) send you an electronic notification advising of the update to the Website policies, and/or (c) include a notice on the Website viewable without login advising of the update to the Website policies. We do not ordinarily provide advance notice of a minor change. Accordingly, we recommend that you check the last revised date identified at the top of this Privacy Policy prior to using the Website, and that you review this Privacy Policy on a frequent basis. Your continued use of the Website and/or utilization of any Website benefits after this Privacy Policy has been updated (and after advance notice of a major change) indicates your agreement and acceptance of the updated version of the Privacy Policy.

8.5 General Inquiries and Concerns

To submit a general inquiry or concern about this Privacy Policy and our privacy practices, please contact us at 866-417-3069 or:

Elixir Rx Solutions, LLC
Attn: Privacy Officer
7835 Freedom Avenue NW
North Canton, OH 44720

8.6 Users from Outside the United States

Elixir and its servers are located in the United States and are subject to the applicable Federal and State laws of the United States. If you choose to access or use the Website, you consent to the use and disclosure of information in accordance with this Privacy Policy and are thereby subject to such laws.

Ver en español

Last Revised: 06/13/2022

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Exhibit D

Elixir Pharmacy Notice of Privacy Practices Effective as of July 31, 2020



Privacy Notice

Privacy Notice

This Notice of Privacy Practices applies to Elixir Pharmacy, LLC ("Elixir Pharmacy").

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

As a healthcare provider, Elixir Pharmacy is required by law to maintain the privacy of protected health information (PHI) and provide you notice of our legal duties and privacy practices with respect to PHI. PHI is information that may identify you and that relates to your past, present, or future physical or mental health or condition, the provision of healthcare products and services to you, or payment for such services.

We implement reasonable administrative, technical, and physical safeguards to protect PHI against unauthorized access, use, and disclosure.

How Elixir Pharmacy Uses and Discloses PHI

Treatment - We use your PHI to treat you. For example, we may receive written, verbal, facsimile or electronic health information and prescription orders for you and use health PHI to provide prescription medications to you. To coordinate your care, we may also disclose your information to other healthcare providers who are treating you.

Payment - We use your PHI to receive payment for products and services. For example, we may contact your third party payer, such as your insurer or pharmaceutical benefits manager, to determine whether your program will pay for your prescription. We bill you and/or a third party payer for the cost of prescription medications provided to you. The information on or accompanying the bill may include your PHI such as the prescriptions you are taking.

Operations - We use your PHI to carry out healthcare operations. These uses and disclosures are necessary to run the pharmacy and to make sure that all of our patients receive quality care. For example, we may use information in your health record to monitor the quality of pharmacist performance and to train pharmacy personnel. Your PHI may be transferred for the purposes of carrying out pharmacy services if we buy or sell pharmacy locations.

We may contact you to provide treatment-related services, such as refill reminders, treatment alternatives, and other health-related benefits and services that may be of interest to you.

How Elixir Pharmacy Uses and Discloses your PHI without Your Prior Authorization

Business Associates - We may contract with third parties to perform certain services for us, such as billing services, copy services, or consulting services. These third party service providers, referred to as Business Associates, may need to access your PHI to perform services for us. They are required by contract and law to protect your PHI and only use and disclose it as necessary to perform their services for us.

To Communicate with Individuals Involved in Your Care or Payment for Your Care - We may disclose PHI about you to a relative, a close friend, or any other person you identify, provided the information is directly relevant to that person's involvement with your healthcare or payment for that care. For example, if a family member or a caregiver calls us with prior knowledge of a claim, we may confirm whether or not the claim has been received and paid. You have the right to stop or limit this kind of disclosure by calling Customer Services toll-free at 1-866-909-5170 (TTY/TDD users should call 711). Hours are: Monday - Friday 8:00 AM - 10:00 PM and Saturday 8:30 AM - 4:30 PM

Food and Drug Administration ("FDA") - We may disclose to persons under the jurisdiction of the FDA, PHI relative to adverse events with respect to drugs, foods, supplements, products and product defects, or post-marketing surveillance information to enable product recalls, repairs, or replacement.

Workers' Compensation - To the extent necessary to comply with law, we may disclose your PHI to workers' compensation or other similar programs established by law.

Public Health - We may disclose your PHI to public health or legal authorities charged with preventing or controlling disease, injury, or disability, including the FDA. In certain circumstances, we may also report work-related illnesses and injuries to employers for workplace safety purposes.

Law Enforcement - We may disclose your PHI for law enforcement purposes as required or permitted by law for example, in response to a subpoena or court order, in response to a request from law enforcement, and to report limited information in certain circumstances.

As Required by Law - We disclose your PHI when required to do so by federal, state or local law.

Health Oversight Activities - We may disclose your PHI to oversight agencies for activities authorized by law. These oversight activities include such things as audits, investigations, inspections, and credentialing, as necessary for licensure and for the government to monitor the healthcare system, government programs and compliance with civil rights laws.

Judicial and Administrative Proceedings - If you are involved in a lawsuit or a dispute, we may disclose your PHI in response to a court or administrative order. We may also disclose your PHI in response to a subpoena, discovery request, or other lawful process instituted by someone else involved in the dispute, but only if efforts have been made, either by the requesting party or us, to first tell you about the request or to obtain an order protecting the information requested.

Research - We may use your PHI to conduct research and we may disclose your PHI to researchers as authorized by law. For example, we may use or disclose your PHI as part of a research study when the research has been approved by an institutional review board or privacy board that has reviewed the research proposal and established protocols to ensure the privacy of your information.

Coroners, Medical Examiners and Funeral Directors - We may release your PHI to coroners or medical examiners so that they can carry out their duties. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also disclose PHI to funeral directors consistent with applicable law to enable them to carry out their duties.

Organ or Tissue Procurement Organizations - Consistent with applicable law, we may disclose your PHI to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation and transplant.

Notification - We may use or disclose your PHI to notify or assist in notifying a family member, personal representative, or another person responsible for your care, regarding your location and general condition.

Disaster Relief - We may use and disclose your PHI to organizations for purposes of disaster relief efforts.

Correctional Institution - If you are or become an inmate of a correctional institution, we may disclose to the institution, or its agents, PHI necessary for your health and the health and safety of other individuals.

To Avert a Serious Threat to Health or Safety - We may use and disclose your PHI when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.

Military and Veterans - If you are a member of the armed forces, we may release PHI about you as required by military command authorities. We may also release PHI about foreign military personnel to the appropriate foreign military authority.

National Security, Intelligence Activities, and Protective Services for the President and Others - We may release PHI about you to federal officials for intelligence, counterintelligence, protection of the President, and other national security activities authorized by law.

Victims of Abuse or Neglect - We may disclose PHI about you to a government authority if we reasonably believe you are a victim of abuse or neglect. We only disclose this type of information to the extent required by law, if you agree to the disclosure, or if the disclosure is allowed by law and we believe it is necessary to prevent serious harm to you or someone else.

Uses and Disclosures Requiring Your Written Authorization

In all situations other than those described above, we ask for your written authorization before using or disclosing your PHI. For example, we would not use or disclose your psychotherapy notes, use or disclose your PHI for marketing purposes, or sell your PHI, unless you give written authorization. If you have given us an authorization, you may revoke it at any time, if we have not already acted on it.\

Your Legal Rights

You have the right to make certain requests regarding your PHI, including the right to:

Federal regulations concerning the privacy and security of personal health information give you the right to make certain requests regarding health information about you.

- **See and get a copy of your PHI held by Elixir Pharmacy** - If we maintain an electronic health record containing your PHI, you have the right to ask to get the information in an electronic format. You may ask us to send a copy of your information to other individuals or entities that you designate. We may deny your request to inspect and copy in certain limited circumstances. If you are denied access to your information, you may request that the denial be reviewed.

- **Request an amendment of your information** - If you feel that the PHI we maintain about you is incomplete or incorrect, you may request that we amend it. You must include a reason that supports your request. If we deny your request for an amendment, we provide you with a written explanation of why we denied it.
- **Get a list of those who received your PHI from Elixir Pharmacy**- Except for certain disclosures, you have a right to receive a list of the disclosures we have made of your PHI, in the six years prior to the date of your request. The list will not include disclosures such as PHI that was given to you or your personal representative or that was given out for treatment, payment or operations reasons.
- **Ask Elixir Pharmacy to communicate with you in a different manner or at a different place** - (for example, by sending materials to a P.O. Box instead of your home address).
- **Ask Elixir Pharmacy to restrict or limit how we use or disclose your PHI** - You have the right to request restrictions on our use or disclosure of your PHI. We are not required to agree to the restrictions, except in the case where the disclosure is to a health plan for purposes of carrying out payment or healthcare operations, is not otherwise required by law, and the information pertains solely to a healthcare item or service for which you, or a person on your behalf, has paid in full.
- **Receive a notice of a breach of certain health information** - We are required to notify you of any breach that involves your PHI.
Get a separate paper copy of this notice - You can ask for a paper copy of this Notice at any time, even if you have agreed to receive the notice electronically.

How to File a Complaint

You may make any of the requests described above in writing to our Privacy Officer at our address provided below. You may request a paper copy of this notice by calling Member Services toll-free at 1-877-437-9012 (TTY/TDD users should call 711). Hours are: Monday-Friday, 8am-10PM EST. Saturday: 8:30am-4:30pm EST. There is an answering service 24 hours a day, 7 days a week. You also have the right to file a complaint if you think your privacy rights have been violated. To do so, please send your inquiry to the following address: Elixir Pharmacy, 7835 Freedom Avenue NW, North Canton, OH 44720, Attn: Privacy Officer. You also may write to the Secretary of the U.S. Department of Health and Human Services. You will not be penalized for filing a complaint.

You also have the right to file a complaint if you think your privacy rights have been violated. To do so, please send your inquiry to the following address: Elixir Pharmacy, 7835 Freedom Avenue NW, North Canton, OH 44720, Attn: Privacy Officer. You also may write to the Secretary of the U.S. Department of Health and Human Services. You will not be retaliated for filing a complaint.

This Notice is Subject to Change

This notice is being provided to you herein and is also posted on our website. Elixir Pharmacy follows the terms of the notice currently in effect. We may change the terms of this notice and our privacy

policies at any time. If we do, the new terms and policies will be effective for all of the information that we already have about you, as well as any information that we may receive or hold in the future.

If you have questions regarding this notice, please contact Customer Services toll-free at 1-866-909-5170 (TTY/TDD users should call 711). Hours are: Monday - Friday - 8:00 AM - 10:00 PM and Saturday 8:30 AM - 4:30 PM.

This notice was revised on July 31, 2020.

On this page:

Privacy Notice

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

[How Elixir Pharmacy Uses and Discloses PHI](#)

[How Elixir Pharmacy Uses and Discloses your PHI without Your Prior Authorization](#)

[Uses and Disclosures Requiring Your Written Authorization](#)

[Your Legal Rights](#)

[How to File a Complaint](#)

[This Notice is Subject to Change](#)



[Careers](#) 

[News](#)

[Blog](#)

[Terms of Use](#) [Privacy Policy](#) [Privacy Notice](#) [Non-discrimination Policy](#)

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Exhibit E

Rite Aid Privacy Policy Effective as of February 23, 2015

[Access Policy for Persons with Disabilities](#)

[Language Assistance Chart](#)

That customer service may include messaging with Rite Aid pharmacists, providing healthcare information, special coupons and product offers, and administering contests, surveys or promotions. We may occasionally send useful information to you by e-mail, including new products and when specials or promotions become available.

We never sell or rent your personal information to any third parties. We share personal information with third parties who perform services on our behalf. These third parties are not authorized by us to use or disclose the information except as necessary to perform services on our behalf or comply with legal requirements. We also share the personal information we obtain with our affiliates and subsidiaries. In addition, we may disclose information about you (i) if we are required to do so by law or legal process, (ii) to law enforcement authorities or other government officials based on a lawful disclosure request, or (iii) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss, or in connection with an investigation of suspected or actual fraudulent or illegal activity. We reserve the right to transfer any information we have about you in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, dissolution or liquidation).

You may decline to receive any additional e-mails concerning new products and services by emailing us or calling 1-800 RITE AID (1-800-748-3243) and we will remove your name from the mailing list. You also have the right not to disclose your medical history to us. We encourage you to provide the information so that we can assist you with your health care.

Links to Other Sites

We may provide links to other sites that we believe offer our customers useful products and services. We do not make any endorsement of or representation or warranty regarding linked sites or their content since they are not controlled by Rite Aid. We are not responsible for the privacy policies or security procedures of these links. We suggest you review a linked site's privacy and security policy before providing any information.

Updating your Personal Information

You can review and update any of the information that you have given us by emailing us or calling 1-800 RITE AID (1-800-748-3243). Our customer care staff will update your information.

Security

Riteaid.com encrypts your personal and medical information as it is transmitted over the Internet.

Minors

If you are a registered user of the Site under 18, you or your guardian may request that Rite Aid remove any content or information that you may have posted on our Internet Web site, or any online service, online application, or mobile application, including your name, address, mobile or home phone, gender and date of birth. If you choose to request that Rite Aid remove any such content or information, you may do so by visiting riteaid.com/ContactUs to email or chat live with a customer care agent, calling customer care at 1-800-RITEAID (748-3243), updating your wellness+ or **wellness+ with Plenti** profile or by writing to Rite Aid Corporation P.O. BOX 3165 Attn: Customer Care, Camp Hill, PA 17011-3165. Please note that our removal may not be complete or comprehensive, such as when the content or information has been reposted by a third party.


Changes to Our Policy

This policy was last updated on February, 23 2015. We reserve the right to modify, change or amend this policy at any time. Please check this policy periodically for changes. Use of this Riteaid.com website after modification of this policy is deemed to constitute your consent to this policy as amended.

Exhibit F

Rite Aid Privacy Policy Effective as of April 16, 2014

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Legal Information

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- [Patient Privacy Policy](#)
- [Mobile App Terms & Conditions and Privacy Policy](#)
- [Text \(SMS & MMS\) Messaging Program Terms & Conditions](#)
- [Product Disclaimer](#)
- [Accessibility Compliance](#)
- [Fraud, Ethics, and Compliance Hotline](#)
- [Accounting, Internal Controls, or Auditing Matters](#)
- [New York Consumer Bill of Rights](#)
- [Sweepstakes Info](#)

Privacy Policy

At Rite Aid we are committed to providing you with the most advanced health care possible. The personal and medical information that we receive from you is vital for us to help you maintain your health. Your online privacy is important to us and we want you to be assured that your personal information is properly safeguarded.

What Information We Collect

We collect personal information you provide when using the Riteaid.com website. Your name, password, home address, medical information, e-mail address and date of birth are examples of personally identifiable information. This information is necessary to respond to your questions, provide you additional healthcare information and coupons or process your order.

Information Automatically Collected

We automatically receive and collect certain types of information whenever you visit the Site. For example, like many Web sites, we use "cookies" and Web beacons (described below) and obtain certain types of information when your Web browser accesses our Site. This information includes the Internet protocol (IP) address of your computer, your browser software and operating system, your web server, the date and time you access our Site, session information (such as download errors and page response times), information about your viewing, search and purchase history and information about the referring URL and the URL clickstream to, through, and from our Site. We use this information to monitor the usage and performance of our Site, to enhance our customers' search and shopping experiences and to determine aggregate information about our user base and usage patterns. Please note that we do not respond to or grant any requests by users of our Website not to track or collect personally identifiable information.

How We Use Your Information

The personal and medical information we receive from you enables us to provide you individualized customer service. That customer service may include messaging with Rite Aid pharmacists, providing healthcare information, special coupons and product offers, and administering contests, surveys or promotions. We may occasionally send useful information to you by e-mail, including new products and when specials or promotions become available.

We never sell or rent your personal information to any third parties. We will not share or intentionally release personal information other than to you, Rite Aid Hdqtrs. Corp. and its subsidiaries, your authorized representatives including medical professionals and our agents, who are employed to perform functions on our behalf. These functions may include sending postal mail and e-mails, delivering packages, fulfilling orders, analyzing information or processing payments. Our agents may not use personal information for any purpose other than in performing their functions for the Company. We also may be required by valid legal process (warrants or subpoenas), to prevent harm or injury (such as product recalls or other circumstances) or by law to disclose your medical and personal information.

You may decline to receive any additional e-mails concerning new products and services by [emailing](#) us or calling 1-800 RITE AID (1-800-748-3243) and we will promptly remove your name from the mailing list. You also have the right not to disclose your medical history to us. We encourage you to complete the information so that we can give you the most comprehensive health care possible. Rite Aid holds all this information in the strictest privacy.

Links to Other Sites

We may provide links to other sites that we believe offer our customers useful products and services. Although our website contains links to other sites, we will not share your personal information with these sites without your permission. We do not make any endorsement of or representation or warranty regarding linked sites or their content

since they are not controlled by Rite Aid. This Privacy and Security Policy applies only to activities conducted and personal information collected on this Riteaid.com website. We are not responsible for the privacy policies or security procedures of these links. We suggest you review a linked site's privacy and security policy before entering any information.

Updating your Personal Information

You can review and update any of the information that you have given us by [emailing](#) us or calling 1-800 RITE AID (1-800-748-3243) . Our customer support staff will update your information.

Security

Riteaid.com utilizes Secure Socket Layer (SSL) technology, which encrypts your personal and medical information as it is transmitted over the Internet. Rite Aid is committed to securing your personal information, and this technology is designed for use with secure Web servers.

When you visit Riteaid.com, you will be assigned a "cookie", which is a small text file stored on your computer's hard drive. Cookies store your preferences and settings for a particular website and use them the next time you visit.

Most Internet browsers permit you to erase or block cookies. Refer to your browser instructions or help screens to assist you in these processes: preventing your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Please note that cookies permit you to take full advantage of Riteaid.com features and we recommend that you leave them turned on.

Children's Privacy

Just like you, we're especially aware of children's privacy issues. We know that parents are justifiably concerned about their children's activities online and what's being done with the information they reveal. That's why we will never intentionally collect information from children under 13, with the exception of e-mail addresses used only for reply purposes. If we learn that we have collected personal information from a child under age 13, we will promptly delete that information. If you believe that we might have any information from a child under age 13, please contact us at 1-800 RITE AID (1-800-748-3243).


Changes to Our Policy

This policy was last updated on July 9, 2013. We reserve the right to modify, change or amend this policy at any time. Please check this policy periodically for changes. The use of information that you provide us now is subject to the privacy policy in effect at the time of use. Use of this Riteaid.com website after modification of this policy is deemed to constitute your consent to this policy as amended.

Policy Updated: December 30, 2013

Exhibit G

Rite Aid Privacy Policy Effective as of March 4, 2013



RITE AID IS CELEBRATING 50 YEARS
OF COMMUNITY WELLNESS

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RITEAID.COM ONLINE PRIVACY AND SECURITY POLICY

At Rite Aid we are committed to providing you with the most advanced health care possible. The personal and medical information that we receive from you is vital for us to help you maintain your health. Your online privacy is important to us and we want you to be assured that your personal information is properly safeguarded.

What Information We Collect

We collect personal information you provide when using the Riteaid.com website. Your name, password, home address, medical information, email address and date of birth are examples of personally identifiable information. This information is necessary to respond to your questions, provide you additional healthcare information and coupons or process your order.

How We Use Your Information

The personal and medical information we receive from you enables us to provide you individualized customer service. That customer service may include messaging with Rite Aid pharmacists, providing healthcare information, special coupons and product offers, and administering contests, surveys or promotions. We may occasionally send useful information to you by e-mail, including new products and when specials or promotions become available.

We never sell or rent your personal information to any third parties. We will not share or intentionally release personal information other than to you, Rite Aid Corporation and its subsidiaries, your authorized representatives including medical professionals and our agents, who are employed to perform functions on our behalf. These functions may include sending postal mail and e-mails, delivering packages, fulfilling orders, analyzing information or processing payments. Our agents may not use personal information for any purpose other than in performing their functions for the Company. We also may be required by valid legal process (warrants or subpoenas), to prevent harm or injury (such as product recalls or other circumstances) or by law to disclose your medical and personal information.


You may decline to receive any additional e-mails concerning new products and services by [emailing](#) us or calling 1-800 RITE AID and we will promptly remove your name from the mailing list. You also have the right not to disclose your medical history to us. We encourage you to complete the information so that we can give you the most comprehensive health care possible. Rite Aid holds all this information in the strictest privacy.



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MyPhotos My Way
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Updating your Personal Information

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Most Internet browsers permit you to erase or block cookies. Refer to your browser instructions or help screens to assist you in these processes: preventing your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Please note that cookies permit you to take full advantage of Riteaid.com features and we recommend that you leave them turned on.

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